

<p style="text-align: center;">KENTUCKY CORRECTIONS Policies and Procedures</p>	<p>Policy Number</p> <p style="text-align: center;">14.3</p> <p>Date Filed</p> <p style="text-align: center;">October 14, 2005</p>	<p>Total Pages</p> <p style="text-align: center;">4</p> <p>Effective Date</p> <p style="text-align: center;">February 3, 2006</p>
<p>References/Authority</p> <p>KRS 196.035, 197.020</p>	<p>Subject</p> <p style="text-align: center;">MARRIAGE OF INMATES</p>	

I. DEFINITIONS

None

II. POLICY and PROCEDURES

- A. Inmates who want to marry during their incarceration may do so if they receive the approval of the Warden of their institution or the Community Center Program Manager.
- B. A Warden or Community Center Program Manager shall disapprove a marriage for the following reasons:
 1. There is a legal restriction to the marriage;
 2. The proposed marriage threatens the security of the institution or the public;
 3. The inmate making the request is emotionally unstable or incompetent;
 4. The inmate desires to marry a current Corrections employee; or
 5. The inmate desires to marry an inmate currently incarcerated at another institution.
- C. Requirements
 1. An inmate desiring to marry during the period of his confinement shall submit a written request from both parties to the personnel designated by the Warden. If an inmate has been married previously, he shall submit a copy of the divorce decree or other applicable document to verify that there is no legal restriction to the marriage.
 - a. A narrative report explaining the circumstances of the marriage request shall accompany the recommendation to the Warden.

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- b. The inmate shall be advised of the Warden's decision within ninety (90) days following the written marriage request.
- c. An application for a marriage license or other wedding arrangements shall not be made until final approval is given by the Warden.
- d. If the Warden disapproves the marriage, the institutional inmate may appeal the decision to the Deputy Commissioner of Adult Institutions or his designee.

2. Community Center inmates shall submit their request to the probation and parole officer assigned to that center. If an inmate has been married previously, he shall submit a copy of the divorce decree or other applicable document to verify that there is no legal restriction to the marriage.

- a. A narrative report explaining the circumstances of the marriage request shall accompany the recommendation to the Program Manager.
- b. The inmate shall be advised of the Program Manager's decision within ninety (90) days following the written marriage request.
- c. An application for a marriage license or other wedding arrangements shall not be made until final approval is given by the Program Manager.
- d. If the Program Manager disapproves the marriage, the inmate may appeal the decision to the Director of Local Facilities.

D. Marital Counseling Program

Marital counsel shall be available to an inmate upon request, but shall not be required as a condition of approval of a marriage.

- 1. This counseling shall be conducted by the institutional Chaplain or other "counselor" as approved by the Warden.
- 2. Costs incurred by the use of an outside "counselor" shall be the responsibility of the applicant.

E. Marriage Ceremony

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Inmates may have a marriage ceremony conducted within the institution or on an approved furlough.

1. The following shall apply to any wedding conducted at an institution:
 - a. The marriage ceremony within the institution may be conducted by the Chaplain or visiting clergy. The institutional Chaplain may decline to perform the ceremony based upon professional discretion or doctrinal requirements.
 - b. The Chaplain or designated staff member shall assist the couple in obtaining an appropriate alternate to perform the ceremony and in making the necessary arrangements. These arrangements shall be in keeping with institutional security requirements.
 - c. Any person performing the marriage ceremony shall meet minimum statutory requirements and shall be subject to institutional rules and regulations.
 - d. The number of wedding guests shall be limited to eight (8) people, including the bride and groom. Depending upon the security needs of the inmate, the Warden may choose to limit those in attendance to a lesser number.
 - (1) All guests shall be pre-screened prior to the ceremony.
 - (2) With the Warden's consent, one (1) guest may be a resident inmate if that individual serves as a member of the wedding party.
 - (3) Children under the age of eighteen (18) shall not be permitted to attend.
 - e. The wedding ceremony, including the reception, shall be limited to one hour. The Warden may, at his discretion, choose to disapprove a reception.
 - f. Correctional staff shall be present during the wedding ceremony and the reception. Staff shall conduct required security searches of attending inmates, prior to, and following the ceremony and reception.
 - g. Wedding attire and accessories:

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- (1) The inmate shall wear clothing already in his possession. Clothing brought in by family, friends or other individuals shall not be permitted.
 - (2) Family, friends or other individuals may bring:
 - (a) a one (1) layer commercially purchased sheet cake, no larger than 12 X 14 inches, for the reception. This cake shall be cut by staff prior to entering the institution. Other food items shall not be allowed.
 - (b) a bouquet of artificial flowers for the bride to carry. Other flowers shall not be permitted.
 - (c) one unloaded camera and one roll of film. The film shall not be placed in the camera until searched by an institutional staff member. If Polaroid pictures are taken, the inmate may take one picture back to his living area.
 - (d) the inmate's wedding ring.
- h. An inmate shall not take an item other than his wedding ring and picture back to his living area.
2. A copy of the marriage license shall be placed in the inmate's institutional file.
3. A marriage ceremony may be conducted outside the institution on an approved furlough. The furlough application shall include the plans for marriage as the stated purpose of the furlough and shall apply to only those inmates eligible for a furlough.